



The Comptroller General
of the United States

Washington, D.C. 20548

Decision

Matter of: I.T.S. Corporation--Request for Reconsideration

File: B-228919.2

Date: February 2, 1988

DIGEST

To be considered, a request for reconsideration of a prior decision of the General Accounting Office, must indicate that the decision contained errors of fact or of law or information not previously considered that would warrant its reversal or modification. The repetition of arguments made during resolution of the original protest, or mere disagreement with the decision, does not meet this standard.

DECISION

I.T.S. Corporation requests reconsideration of our decision in I.T.S. Corp., B-228919, Nov. 25, 1987, 87-2 CPD ¶ 521, in which we denied the protest of I.T.S. that the Air Force had failed to inform offerors under solicitation No. F34650-87-R-0568 that government furnished data processing equipment was inefficient and would preclude data entry operators from performing at the normal industry standard. I.T.S. argued that as the incumbent contractor, it was aware of the equipment inefficiencies and could not compete on an equal basis with other offerors who, believing the work could be performed more efficiently, would offer lower prices. We denied the protest because I.T.S. had not shown that the information provided to offerors was inadequate to permit offerors to prepare their proposals on an equal and intelligent basis.

The protester now requests reconsideration of our November 25 decision on the basis that we did not address its contention that I.T.S. was at a competitive disadvantage because the Air Force had failed to inform other offerors of the inefficiencies in the government furnished system.

Specifically, I.T.S. argues that we ignored its evidence that 12,000 keystrokes per hour was the industry average and that the government furnished equipment could not achieve this standard. We noted, however, that the solicitation did

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not require performance at this rate and that there was no indication that other offerors would use this rate in preparing their offers. We found that the Air Force had provided detailed information concerning the data processing system, work load estimates, data entry jobs to be performed, and the estimated average number of keystrokes per document, and further provided offerors with the opportunity to observe the equipment and to assess its capabilities. We found this to be sufficient information to allow offerors to calculate their price for the required services on this system.

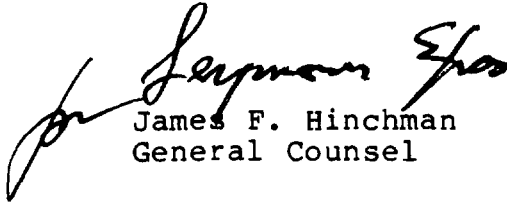
While I.T.S. continues to argue that this information was insufficient to permit intelligent bidding by other firms that are not familiar with the shortcomings of the system, mainly the software, we still find the solicitation's statement of work to have been adequate to inform bidders of the contract requirements.

We note that in its earlier protest, I.T.S. pointed to four other government contracts it was currently performing where the average keystroke per hour varied from 11,566 to 16,129. Also, while I.T.S. contended that the average for the industry was 12,000 keystrokes, it put great weight upon and agreed with an internal Air Force memo which stated an industry standard existed of between 10,000 and 15,000 keystrokes. Moreover, I.T.S. admitted, with certain qualifications, in its original submission on the protest that it had achieved 12,000 keystrokes per hour for certain days. This clearly suggests that there is considerable variance possible in this area, and, accordingly, we continue to believe that the above mentioned listing of the equipment, work load, average keystrokes per document and the opportunity for a site visit was sufficient to provide bidders the information they needed and for competition to be on an equal basis.

The established standard for reconsideration is that the requesting party must show that our prior decision contains either errors of fact or of law or information not previously considered that warrant its reversal or modification. See 4 C.F.R. § 21.12(a) (1987); Roy P. Weston, Inc.--Request for Reconsideration, B-221863.3, Sept. 29, 1986, 86-2 CPD ¶ 364. Repetition of arguments made during resolution of the original protest or mere disagreement with our decision does not meet this standard. Id.

I.T.S. primarily repeats its previous arguments, and disagrees with our decision, but has not made a showing that our decision contained errors of fact or of law that warrants reconsideration.

The request for reconsideration is denied.



James F. Hinchman
General Counsel